CONFERENCE ON DISARMAMENT

CD/1234
5 January 1994

Original: ENGLISH

LETTER DATED 20 DECEMBER 1993 ADDRESSED TO THE PRESIDENT OF THE CONFERENCE ON DISARMAMENT BY REPRESENTATIVES OF 23 STATES NOT MEMBERS OF THE CONFERENCE ON DISARMAMENT CONCERNING THE EXPANSION OF THE MEMBERSHIP OF THE CONFERENCE

We are writing to you in relation to your special responsibility for the conduct of informal consultations to reach consensus on the expansion of the membership of the Conference in the period before its next session in January 1994.

The efforts you have so far made to achieve this outcome, and your consultations with us, are very much appreciated. We offer our continued cooperation in the period ahead.

Full participation as members in the Conference on Disarmament from 1994 is, as you know, a matter of the highest priority for our Governments. A prompt decision on the expansion of the Conference is the more important in light of the forthcoming negotiations to achieve a comprehensive nuclear-test-ban treaty capable of attracting universal adherence.

In this regard the First Committee's adoption by consensus on 19 November of Egypt's resolution on the work of the Conference on Disarmament which includes the membership issue, is welcome. We note that the Fifth Committee has now approved the call for additional services in that resolution.

The General Assembly has now adopted without a vote the First Committee resolution. It urges the Conference on Disarmament to reach consensus on the expansion of its membership before the start of its 1994 session.

We would appreciate being kept fully informed of the steps taken in order to bring the expansion process to a successful conclusion. This will assist our preparations for membership of the Conference. We should, accordingly, like to meet you early in the new year to discuss progress on this subject.

As the expansion of the Conference is the concern of all member States, we should be grateful if you would circulate to them this letter, and arrange for its distribution as an official document of the Conference on Disarmament.

GE.94-60015 (E)

(Signed): Winfried Lang
Ambassador
Permanent Representative
(Austria)

(Signed): M. Anwar Hashim
Ambassador
Permanent Representative
(Bangladesh)

(Signed): Anatoli A. Mardovitch
Ambassador
Permanent Representative
(Belarus)

(Signed): Francois-Xavier Ngoubeyou
Ambassador
Permanent Representative
(Cameroon)

(Signed): M. Hugo Cubillos
Ambassador
Deputy Permanent Representative
(Chile)

(Signed): Guillermo Alberto González
Ambassador
Permanent Representative
(Colombia)

(Signed): Han Chang On
Chargé d'affaires a.i.
(Democratic People's Republic of Korea)

(Signed): Antii Hynninen
Ambassador
Permanent Representative
(Finland)

(Signed): Khalid Al Khairo
First Secretary
(Iraq)

(Signed): Simona Frankel
Counsellor
(Israel)

(Signed): Alastair Bisley
Ambassador
Permanent Representative
(New Zealand)

(Signed): Jostein H. Bernhardsen
Chargé d'affaires
(Norway)

(Signed): Bong Joo Moon
Counsellor
(Republic of Korea)

(Signed): Balla Dia
First Counsellor
(Senegal)

(Signed): Ján Kubis
Ambassador
Permanent Representative
(Slovakia)

(Signed): Riaan Eksteen
Ambassador
Permanent Representative
(South Africa)

(Signed): Joaquín Pérez-Villanueva
Ambassador
(Spain)

(Signed): Bernard de Riedmatten
Ambassador
Permanent Observer
to the United Nations
(Switzerland)

(Signed): Ghassan Haidar
Second Secretary
(Syria)

(Signed): Gündüz Aktan
Ambassador
Permanent Representative
(Turkey)

(Signed): Olexandre Sliptchenko
Ambassador
Permanent Representative
(Ukraine)

(Signed): Nguyen Luong
Ambassador
Permanent Representative
(Viet Nam)

(Signed): Misheck Chenyika Hove
Chargé d'affaires a.i.
(Zimbabwe)

CONFERENCE ON DISARMAMENT

CD/1235
5 January 1994

Original: ENGLISH

LETTER DATED 4 JANUARY 1994 FROM THE PERMANENT REPRESENTATIVE OF AUSTRALIA TO THE UNITED NATIONS FOR DISARMAMENT MATTERS ADDRESSED TO THE PRESIDENT OF THE CONFERENCE ON DISARMAMENT TRANSMITTING THE TEXT OF A WORKING PAPER ENTITLED "COMPREHENSIVE NUCLEAR TEST BAN TREATY: A DRAFT STRUCTURAL OUTLINE"

I have the honour to forward to you herewith the text of a working paper entitled "Comprehensive Nuclear Test Ban Treaty: a Draft Structural Outline", which I introduced and tabled during intersessional consultations convened on 9 December 1993 by Ambassador Tanaka in his capacity as Chairman of the Conference's Nuclear Test Ban Ad Hoc Committee.

I would be grateful if this working paper could be distributed as an official document of the Conference on Disarmament.

(Signed): Paul O'Sullivan
Ambassador

COMPREHENSIVE NUCLEAR TEST BAN TREATY

A DRAFT STRUCTURAL OUTLINE

For the purposes of developing a better basis for discussions under the Chairman's 10 August mandate of how the initial phase of the negotiation of a CTBT might be organised, it might be useful to conceptualise the structure of a CTBT as follows:

Preamble
Article I - Basic Obligations
Article II - Declarations
Article III - The Organization
Article IV - National Implementation Measures and Assistance
Article V - Verification
Article VI - Settlement of Disputes
Article VII - Non-compliance
Article VIII - Privileges and Immunities
Article IX - Status of Protocols
Article X - Entry into Force
Article XI - Reservations
Article XII - Duration and Withdrawal
Article XII - Review of the Treaty
Article XIV - Amendments
Article XV - Depositary
Article XV - Authentic Texts
Protocol I - The Organization
Protocol II - Global Monitoring and Verification System
- Part I - Seismic Monitoring
- Part II - Surveillance of Radionuclides in the Atmosphere
- Part III - Use of Satellite Data
- [Part x - .....]

Protocol III - Procedures for On-Site Inspections and Monitoring
- Part I - Procedures for International On-Site Inspections
- Part II - Procedures for On-Site Monitoring of Large Non-Nuclear Explosions

The Text on the Preparatory Commission

2. On the basis of acceptance that the negotiating structure for the Nuclear Test Ban Ad Hoc Committee in 1994 will consist of at least two subsidiary bodies, working respectively in verification and compliance on the one hand, and legal and institutional issues on the other, the following tentative division of

labour between the two Working Groups could be postulated for the treaty structure conceptualised above. This division does not exclude the likelihood that certain articles of a future CTBT will need to be considered substantively by both rather than simply one Working Group.

Working Group on Legal and Institutional Issues

Preamble
Article III - The Organization
Article IV - National Implementation Measures and Assistance
Article VI - Settlement of Disputes
Article VII - Privileges and Immunities
Article VIII - Non-compliance
Article IX - Status of Protocols
Article X - Entry into Force
Article XI - Reservations
Article XII - Duration and Withdrawal
Article XIII - Review of the Treaty
Article XIV - Amendments
Article XV - Depositary
Article XVI - Authentic Texts
Protocol I - The Organization
The Text on the Preparatory Commission

Working Group on Verification and Compliance

Article I - Basic Obligations
Article II - Declarations
Article V - Verification
Article VI - Settlement of Disputes
Article VII - Non-compliance
Protocol II - Global Monitoring and Verification System
- Part I - Seismic Monitoring
- Part II - Surveillance of Radionuclides in the Atmosphere
- Part III - Use of Satellite Data
- [Part x - .....]

Protocol III - Procedures for On-Site Inspections and Monitoring
- Part I - Procedures for International On-Site Inspections
- Part II - Procedures for On-Site Monitoring of Large Non-Nuclear Explosions

3. From the above it would seem that both postulated working groups would have a very full program of useful work from an early stage. This would imply the need for both Working Groups to be commissioned during the first meeting of the Nuclear Test Ban Ad Hoc Committee so as to be in a position to take up

substantive discussions on individual topics as early as possible after the commencement of the session.

4. There is no readily apparent reason why substantive and detailed discussion of items on the above menus (as compared with the overall conceptual discussions sought by some delegations) should take place anywhere other than in the relevant Working Group. This question aside, however, initial and non-controversial tasks for the two Working Groups could be considered to include:

Working Group on Legal and Institutional issues

- Organisation of the Working Group (including appointment of Chairman)
- Immediate commencement of substantive work on the following non-controversial topics:

  - Preamble
  - Privileges and Immunities
  - Status of Protocols
  - Review of the Treaty
  - Amendments
  - Depositary
  - Authentic Texts

Working Group on Verification and Compliance

- Organisation of the Working Group (including appointment of Chairman, discussion of management of the work program, consideration of initial tasking and priorities)
- Session with IAEA representative (deferred from the 1993 Ad Hoc Committee's consideration of existing proposals)
- Review of available verification technologies and costs
- Immediate commencement of work on non- or less controversial topics such as Non-Compliance
- (If agreed in line with the suggestion outlined in paragraph 4 above) focussed discussions on central issues related to verification and compliance, including scope of obligations

Delegation of Australia
9 December 1993

CONFERENCE ON DISARMAMENT

CD/1235/Corr.1
14 January 1994

ENGLISH
ARABIC, CHINESE, ENGLISH, FRENCH
and SPANISH only

LETTER DATED 4 JANUARY 1994 FROM THE PERMANENT REPRESENTATIVE OF AUSTRALIA TO THE UNITED NATIONS FOR DISARMAMENT MATTERS ADDRESSED TO THE PRESIDENT OF THE CONFERENCE ON DISARMAMENT TRANSMITTING THE TEXT OF A WORKING PAPER ENTITLED "COMPREHENSIVE NUCLEAR TEST BAN TREATY: A DRAFT STRUCTURAL OUTLINE"

Corrigendum

Page 3, first paragraph

At the beginning of the paragraph insert: 1.

Page 4, line 10, under the title "Working Group on Legal and Institutional Issues" Articles were inverted. Please read

Article VII - Non-compliance
Article VIII - Privileges and Immunities

GE.94-60062